



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,875	12/14/2000	Sami Inkinen	460-010010-US(PAR)	7593

7590 12/17/2003
Clarence A. Green
Perman & Green, LLP
425 Post Road
Fairfield, CT 06430

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT	PAPER NUMBER
----------	--------------

2643

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

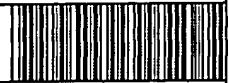
Office Action Summary

Application No.
09/736,875

Applicant(s)
Sami Inkinen et al

Examiner
Melur. Ramakrishnaiah

Art Unit
2643



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 15, 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

Art Unit: 2643

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-11, are rejected under 35 U.S.C 102(b) as being anticipated by Umezawa et al. (JP06-141308, hereinafter Umezawa).

Regarding claims 1 and 7, Umezawa discloses a video conference system, comprising at least one mobile station (58, Drawing 14), a camera (11, Drawing 14), an acousto-electric transducer (12, Drawing 14), and electro-acoustic transducer (62, Drawing 14), the acousto-electric transducer (12), the electro-acoustic transducer 62), and the camera (11) are arranged to be coupled to the mobile station (58) via at least one cable (57, Drawing 14, paragraphs: 0046-0051, 0056) and the camera (11, Drawing 14) and the acousto-electric transducer (12, Drawing 14) are located in the same element (63, Drawing 14, paragraph: 0048).

Regarding claims 2-5, 8-11, Umezawa further teaches the following: video camera (11, Drawing 14) is an image information unit which receives the necessary power supply from the mobile station (58, Drawing 14), and the processing and storage of the video image is arranged to be performed in the mobile station (paragraph: 53), portable HF set is composed of acousto-electric transducer (12, Drawing 14), electro-acoustic transducer (62, Drawing 14) and the

Art Unit: 2643

camera (11, Drawing 14) wherein the acousto-electric transducer (12, Drawing 14) is a microphone, the electro-acoustic transducer (62, Drawing 14) is an earpiece, and that the camera and microphone constitute a transmission unit, transmission unit comprises a fixing means (51, Drawing 14) by means of which transmission unit is arranged to be fixed (paragraphs: 0046-0051, 0056).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Umezawa in view of Kunitomo (JP404178055A)..

Regarding claims 6 and 12, Umezawa does not teach the following: mobile station comprises an integrated microphone and integrated earpiece, characterized by in that the integrated microphone and earpiece of the mobile station are switched off preferably at least when camera and acousto-electric transducer and the electro-acoustic transducer are coupled to the mobile station.

However, Kunitomo discloses a mobile telephone hand-free system which teaches the following: mobile station comprises an integrated microphone and integrated earpiece,

Art Unit: 2643

characterized by in that the integrated microphone and earpiece of the mobile station are switched off preferably when at least acousto-electric transducer and the electro-acoustic transducer are coupled to the mobile station (fig. 1, see abstract).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Umezawa's system to provide for the following: mobile station comprises an integrated microphone and integrated earpiece, characterized by in that the integrated microphone and earpiece of the mobile station are switched off preferably at least when camera and acousto-electric transducer and the electro-acoustic transducer are coupled to the mobile station as this arrangement would lead to use of either set of microphone and speaker located either in the mobile phone itself or located externally from the mobile phone, thus providing the flexibility to the user of mobile communication device as taught by Kunitomo, thus enhancing the user convenience.

Response to Arguments

5. Applicant's arguments filed 9-15-2003 have been fully considered but they are not persuasive.

Rejection of independent claims 1 and 7 under 35 U.S.C 102(b) as being anticipated by Umezawa et al. (JP06-141308, hereinafter Umezawa): Applicant argues that claims 1 and 7 have been amended to recite that camera and the acoustic-electric transducer are located in the same element and continues that since this feature is not suggested by the Umezawa, these claims are unobvious over it. Contrary to applicant's interpretation of Umezawa reference still reads on

Art Unit: 2643

applicant's amended claims because it teaches that camera (11, Drawing 14) and the acoustic-electric transducer (12, Drawing 14) are located in the same element (for example 63, Drawing 14, paragraph: 0048). Therefore, rejection of claims 1 and 7 is maintained.

Rejection of claims 6 and 12 under 35 U.S.C 103(a) as being obvious over Umezawa in view of Kunitomo (JP404178055A): Regarding rejection of claims 6 and 12, Applicant argues that since examiner has not pointed out wherein the prior art there is a suggestion to combine references as required by *Ex Parte Jones*, 62 USPQ 2d, 1206, 1208, the combination is improper. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Kunitomo discloses a mobile telephone hand-free system which teaches the following: mobile station comprises an integrated microphone and integrated earpiece, characterized by in that the integrated microphone and earpiece of the mobile station are switched off preferably when at least acousto-electric transducer and the electro-acoustic transducer are coupled to the mobile station (fig. 1, see abstract). Therefore, one of ordinary skill in the art at the time invention was made would be motivated to apply teachings of Kunitomo in Umezawa to obtain the system which would lead to use of either set of microphone and speaker located either in the

Art Unit: 2643

mobile phone itself or located externally from the mobile phone, thus providing the flexibility to the user of mobile communication device as taught by Kunitomo, thus enhancing the user convenience.

Applicant further argues that neither of the references discloses or suggest that the camera and the acoustic-electric transducer are located in the same element. As pointed above with respect to claims 1 and 7, Umezawa teaches that camera (11, Drawing 14) and the acoustic-electric transducer (12, Drawing 14) are located in the same element (for example 63, Drawing 14, paragraph: 0048).

In light of above explanation, rejection of claims 1-12 is maintained as set forth in the office action above.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2643

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (703) 305-1461. The examiner can normally be reached on Monday to Friday from 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The fax phone number for this Group is (703) 305-9508.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

8. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Art Unit: 2643

Or:

(703) 305-9508 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).


Melur. Ramakrishnaiah

PRIMARY EXAMINER

Art Unit 2643.